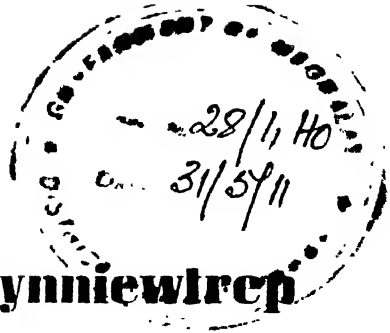


Ka Ri Hynniewtrep
B a d
Ka Sixth Schedule

Da u

L. Gilbert Shullai



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B a d
Ka Sixth Schedule

First Published- 1998 : 1,000 copies.

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Published by :

The Durbar of the Syiem Hima Myliem
On behalf of Mr. L. Gilbert Shullai of the
SHILLONG RECORDS' COLLECTION CENTRE,

Printed at : LYGWIAR PRESS,
Mawkhar Main Road,
Shillong 793001.

The Sixth Schedule is a Scheme to include the Excluded Areas and the Partially Excluded Areas of the erstwhile Province of Assam within the territorial jurisdiction of the new State of Assam and to provide them (The Excluded Areas and the Partially Excluded Areas) with limited autonomy,

"RALANDA"
Lumbasuk,
Nongthymmai
Shillong-793014
East Meghalaya

‘TIEN LAMPHRANG’

Ha kane ka kot ba la jer kyrteng — KA RI HYNNEWTREP BAD KA SIXTH SCHEDULE la shon ruh ia kawci ka ‘article’ ha ka ktien Phareng ‘KHASI STATES PEOPLE’S UNION OF YESTER YEARS) ba la pynmih ha ka kot khubor (APPHIRA : Monday, 17th October 1994) ryngkat bad kine deĵ ki lui tylli ki ‘article’ ha ka ktien Khasi ba la pynmih ha ka Monthly Magazine (KA PANSARA) :

1. JYLLUIN—LYMPHUIN KO RI SHONG PDENG PYRTHEI (September 1992)
2. RYNGKAT BAD KA JINGKYNMAW IA U SYJEM OLIM SING, HIMA KHYRIM (October - November, 1992)
3. RYNGKAT BAD KA AKOR HA RI HYNNEWTREP (December 1992)

Dated : Shillong
The 20th October, 1996

L. GILBERT SHULLAI

KA RI HYNNEWWTREP BAD KA SIXTH SCHEDULE

Ki dkhar, haba shu shim kyllum. khamtam ki dkhar jong ka Rithor Sylhet ki tip ia ka Bri U Hynniewtrep (RI HYNNEWWTREP) kum ka "Khasia Pahar" bad ki Phareng haba ki la shimti ia ka jingsynshar ia kane ka RI HYNNEWWTREP ki la pynlong ia ka, ha kaba sdang kum ka 'Political Agency', bad li tip ia ka kum ka 'Cossayah Hills Political Agency', bad ka nongbah ka dei ka Sohra ba la tip da ki Phareng kum ka 'Cherrapunjee'. U Political Agent u ba nyingkong eh uba la shimti ia ka kom Political Agent ha ka li (khadwei) tarik u February 1835 (shihajar phraspah laiphew san) u dei u Colonel Lister. Ka Bri u Hynniewtrep ka kynthup bun tylli ki Hima ; add lang ia ki Hima ngi ioh ia ka Ri. Bad ka Jaidbynriew hapoh ka Bri U Hynniewtrep ka kynthup ia ki Kur; add-lang ia ki kur ngi ioh ia ka Jaitbynriew. Kumta u Nongrwai u iwai —

Hima Maram. Jaintia, Shella,
Khyrim, Mawiang, Sohra,
Bad kiwei de la ki kyrteng,
Tal'war U Sohpetbneng.
Na Thangbuli, Jongpiah, Malki,
Bad haduh Pyndengrei ;
Don bun Seng-Niam, Kur bad Hima,
Jaidbynriew tang kawei.

2. Ha ka 15 (khadsan) tarik March 1835 (shihajar phra spah laiphew san) ia ka jaka thor (Jaintia Pargana) jong ka Hima Jaintia la shim noh da ki Phareng. Nangta, hadien ka jaka lum jong ka Hima Jaintia ruh ka la kylla "British Area". Nangta, hadien la pynduh noh ruh ia ka "Cossayah Hills Political Agency" bad la mih noh da ka "Cossayah & Jynteah Hills District" (hadien ka rukom spel dak ka la long noh Khasi & Jaintia Hills District). Ia U Sahap Nongbishar jong ka District kim pat khot "Deputy Commissioner" hynrei ki

dang khot u Principal Assistant Commissioner bad U C.K. Hudson u dei U Principal Assistant Commissioner uba nyingkong eh u ba la shimti ia ka kam ha ka 10(shiphew) tarik u April 1854 (shihajar phra spah sanphew saw). Nangta, hadien la tip noh kum U Deputy Commissioner bad U Major E.A. Rowlatt uba long U Principal Assistant Commissioner uba khadduh ch u la kylla long U Deputy Commissioner uba nyingkong eh. Uba long Deputy Commissioner, ha ka por ba phasi ia U Kiang Nangbah ha ka 30 (laiphew) tarik December 1862 (shihajar phra spah hynriewphew ar) u dei U Captain B.W.D. Morton uba la pci ha Sohra ha ka 30 (laiphew) tarik May, 1862 (shihajar phraspah hynriew phew ar) ban shimti ia ka kam na U Major E.A. Rowlatt.

3. Ia ki iing ophis ha Shillong la sdang tei ha ka snem 1864 (shihajar phra spah hynriewphew saw), bad ka jingpynkynriah ia ka District Headquarters na Sohra sha Shillong ka long ha ka snem 1866 (shihajar phra spah hynriewphew hynriew). Ha kata ka por ka "Assam" ka dang dei ka bynta jong ka BENGAL, bad ka "Capital" jong ka BENGAL ka dei ka Fort William, Calcutta.

4. Dei naduh ka snem 1874 (shihajar phra spah hynriewphew saw) ba ia ka 'Assam' la dkhat noh na BENGAL bad ka "Assam" ka sa kylla long ka Chief Commissioner's Province. Nangta ka Shillong (naler ba ka lah long lypa ka District Headquarters) ka la kylla long ruh ka "Capital" jong ka ASSAM kat kum ka Notification No, 49 (forty nine) dated Shillong the 20th March 1874.

5. Ia ka jaka lum jong ka Hima Jaintia la pynlong Sub-Division ba la tip kum ka "Jowai Sub-Division" kat kum ka Notification dated the 16th November 1869 ba la shcn ha ka CALCUTTA GAZETTE, November 24, 1869 page 2067. Kumta, la mih artylli ki Sub-Division; Shillong Sub-Di-

vision bad Jowai Sub-Division hapoh uwei u Deputy Commissioner. Hadien pat. ka Sorkar Phareng ka la buh noh ar ngut ki Sahep Nongbishar; uwei u Deputy Commissioner uba khmih ia ka "Khasi & Jaintia Hills District" bad uwei u Political Officer uba khmih ia ki "Khasi States." Na ka bynta ka jingbit jingbiang ka kam, li thung ia u juh u brieu kum U Deputy Commissioner ha ka jing-ia dei bad ka Khasi & Jaintia Hills District bad kum u Political Officer ha ka jingiadei bad ki "Khasi States",

6. Kumba ban shu pynkynmaw hungne, ki "Khasi States" kim hap bad kim dei ka bynta jong ka "Khasi & Jaintia Hills District," Ki "Khasi States" ki dei ki "Indian States" bad ka "Khasi & Jaintia Hills District" ka dei ka "British India." Kum ban ia kdat khyndiat shawei ki "Indian States" kiba iasoh bad ka "Dominion of India" ki phah nongmihkhmat sha ka Constituent Assembly of India. Ki "Indian States" kiba heh bad khom heh, ki phah nongmihkhmat bun ngut bad kham bun ngut. Ia kiba rit bad kham rit pat la "Group" lang ba kin phah la kumno kumno uwei u nongmihkhmat. Te ia ka Manipur. Tripura bad "Khasi State" la "Group" lang bad, uba mihkhmat u dei U Mr. G. S. Guha. Ka jingbatat shaphang ki "Indian States" bad shaphang ka "British India" la thoh ha ka Section 311 (laispah khadwei) jong ka GOVERNMENT OF INDIA ACT, 1935 Haba phiah ha ki ar tylli ki "Dominion" (India & Pakistan) kat kum ka INDIAN INDEPENDENCE ACT, 1947 te la phiah tang ia ka "British India". Ka bor ba ha khlieh duh (Paramount Power) lane ka "Suzerainty" jong ka Hima Bilat halor ki "Indian States" ka kut noh kat kum ki kyndon ba la kdew ha ka Section 7 (hynniew) jong katei ka INDIAN INDEPENDENCE ACT, 1947. Hynrei ym khang ia ki "Indian State" ban iasoh bad ka India lane bad

ka Pakistan kat kum ba la kdew ha ka sub section 4 (saw) jong ka Section 2 (ar) jong katei ka INDIAN INDEPENDENCE ACT, 1947.

7. Ki "Khasi States" ki la pynlong ia ka "FEDERATION OF KHASI STATES" ha ka 22 (ar phew ar) tarik August 1946 (shihajar khyndai spah sawphew hynriew), bad ki kwah ruh ba ka "Khasi & Jaintia Hills District" ruh kan ia don lang hapoh kawei kajuh ka jingsynshar kat kum ba paw na ka Resolution ba la pass da ka Khasi States Constitution Making Durbar ha Dinam Hall, Jaiaw, Shillong ha ka 21 (ar phew wei) tarik July 1949 (shihajar khyndai spah sawphew khyndai), bad ia katei ka Resolution la shon ruh ha ka paragraph kaba 25 (ar phew san) jong ka kot, KI HIMA KHASI

8. Ia ki 16 (Khadhynriew) ngut napdeng ki 25 (ar phew san) ki Khlich Nongsynshar jong kitei ki "Khasi State" la tip kum ki SYIEM. Ha ki lai tylli (kata Mawphlang, Lyngiong bad Sohiong) la tip kum ki LYGDOH. Ha Shella la tip kum U WAHADADAR. Ia kiba sah la tip kum ki SIRDAR.

9. Ki don 33 (laiphew lai) tylli ki "British Area" hapoh ka "Khasi & Jaintia Hills District." Ar tylli napdeng kita ki dei kine : —

(1) "Shillong British Portion"

(2) Jowai Sub-division

10. Ka "Shillong British Portion" ka kynthup ia ki jaka ha Shillong ba la ai (ceded) sha ka British Government ha ka snem 1863 (shihajar phra spah hynriewphew lai) ha ka por u Syiem jong ka Myllem State ha kata ka por u dei U Syiem Mile Singh ia ka 'Agreement' kaba iasnoh bad kata ka jingai lah ban shem ha ka Aitchison's

Collection of Treaties, Vol. I : pp. 247-250, bad lah ruh ban shem ha ka Appendix "A" jong ka kot — KI HIMA KHASI.

11. Ka Jowai Sub-Division pat ka dei ka jaka lum (Hill Portion) jong ka Hima Jaintia ba la pynlong "British Area" ha ka snem 1835 (shihajar phra spah laiphewsan) hadien ba u Syiem Rajendra Singh jong ka Hima Jaintia (ba la tip ha ki por kiba kham mynshuwa kum ka Hima Sutnga) um treh shuh ban long Syiem tang ha ki Jaka Lum (Hill Portion) jong ka Hima Jaintia.

12. Kumba la kdew haneng, nalog kitei ar tylli ki "British Area" ki don sa 31 (laiphew wei) tylli ki "British Area" ha Shillong Sub-Division hapoh Khasi & Jaintia Hills District, bad kita ki long kine : --

- (a) Nongpoh, Myrdon ;
- (b) Laitlyngkot, Laitkroh, Mawbehlarkhar, Marbisu.
- (c) Jyrngam, Nongriangsi, Nonglang
- (d) Umniuh-Tmar, Lakadiang, Tynriang, Nongjri;
- (e) Saitsohpen, Mawmluh, Mawsmal-Nongtym-mal.
- (f) Nongbah, Nonglyngkien, Tynrong ;
- (g) Sohbar ;
- (h) Byrong, Mawthangsohkhylung, Mynteng, Nongkroh, Nongriat, Ramdait, Tyrna.
- (i) Nongshluid, Nonglait, Synnei, Sinai-Maw-shynrut.

Da ka jingiabeitlang, ka "Byrong" bad ka "Mawthangsohkhyllung" ki la ia long noh kawei ha ka snem 1985 (shihajar khyndai spah phra phew san) hapoh kawei ka kyrteing "WAHLONG" hapoh uwei u "Sirdar" kat kum ba ka paw na ka KHASI HILLS AUTONOMOUS DISTRICT (ADMINISTRATION AND ELECTION OF SIRDAR OF WAHLONG) ACT, 1985 ba la mynjur (assent) da u Governor ha ka 1 (shitarik) September 1985 (shihajar khyndai spah phra phew san) bad shon ha ka GAZETTE MEGHALAYA Part IV, No. 22 : 19th September 1985 (Annexure V)

13. Lada ia phai sha Jowai Sub-Division hadien ba la dkhat noh ia ka Block I bad Block II na ka Jowai Sub-Division ha ka snem 1951 (shihajar khyndai spah sanphew wei), dang sah sa kine ki Elaka hapoh Jowai Sub-Division :—

- (a) Nartiang, Shiliangmyntang, Nongjngi,
- (b) Mynso, Raliang, Shangpung;
- (c) Maskut, Jowai, Nongbah ;
- (d) Nongkhlieh, Sutnga, Saipung ;
- (e) Narpuh, Lakadong, Rymbai ;
- (f) Darrang, Satpator, Amwi, Nongtalang.

14 Ki khlieh Nongsynshar jong kitei ki Elaka hapoh ka Jowai Sub-Division ki dei ki Dolci, lait noh ka Saipung kaba U khlieh nongsynshar u dei u Sirdar.

15. Ka Draft Constitution of India ba la phah sha U President jong ka Constiuent Assembly of India ryngkat bad ka shithi dated the 21st February 1948 na u Dr. B.R. Ambedkar, Chairman, Drafting Committee ka kynthup 315 (laispah

khadsan) tylli ki "Article" bad 8 (pbra) tylli ki 'Schedule'. Ka First Schedule kumba ka paw ha katei ka Draft Constitution, ka kynthup 4 (saw) tylli ki PART kumne harum :—

ANNEXURE I

16 la ka bor jong ka Parliament of India la pyni ha ka Lynnong kaba nyngkong (Chapter I) jong ka Part IX jong katei ka Draft Constitution. Ka Parliament of India ka don ka bor ba pura ban thaw ain halor ki jylla ba la kdew ha ka Part I (one) Part II (two) bad Part IV (four) jong ka First Schedule. Hynrei ha ka jingiadei bad ki "STATES" ba la kdew ha Part III (three) te kan long tang kat kum ba la kdew ha ki "AGREEMENT" ba ki "STATES" ki ia kut kat kum ba la pyni ha ka Article 225 (arspah arphew san) jong ka Draft Constitution, Ki "Khasi States" ruh ki don la ka jong ka 'Agreement' ryngkat bad ka Instrument of Accession ha ka jingiadei bad ka Dominion of India (Ref. White Paper on Indian State : Appendix XXVI pp, 215-218). Ha ka Article 225 (arspah arphew san) jong ka Draft Constitution la thoh kumne :—

"Notwithstanding anything in this Chapter (Chapter I of Part IX), the power of Parliament to make laws for a State or group of States for the time being specified in Part III of the First Schedule shall be subject to the terms of any agreement entered into in that behalf by that States or Group of States with the Government of India and the limitations contained therein."

17. Napdeng jong ki "STATES" kiba paw kyrteng ha ka Part III (three) jong ka First Schedule, don kiba nalor ba ki soi ia ka 'Instrument of Accssion', ki soi ruh ia ka 'Instrument of

Merger'. Te ia kiba kum kita la pynngat lang noh ia ki hapoh ki 'Province' kiba marjan lane pynkylla Chief Commissioners' Province ia ki kat kum ka bor ba la pynkup da ka Section 290-A jong ka Government of India Act, 1935. Ia katei ka Section 290-A bad kumjuh ruh ia ka Section 290-B la pynrung hapoh katei ka ACT da ka Constituent Assembly (Ref Constituent Assembly Debates: Volume VII: 5th January 1949: pp. 1267-1302). Ia kiba sah pat la 'group' ia ki ha ki "Union of States" (1. Madhya Bharat, 2. PEPSU, 3. Rajasthan, 4. Saurashtra, 5. Travancore Cochin bad 6. Vidhya Pradesh). Ki lai tylli ki 'STATES' kiba heh (Kashmir, Hyderabad bad Mysore) te ki sah la ka jong ka jong.

18. Ha ka "Final Constitution" ia kitei ki "Union of States" bad ia kitei ki lai tylli ki "States" kiba heh (Kashmir, Hyderabad & Mysore) la tip noh kum ki "Part B States", namar ia ka Part III (three) jong ka First Schedule la tip noh kum ka Part B

19. Kitei ki "Part B States" kim shym soi ia ka 'Instrument of Merger', hynrei ki la pynmih da ka "PROCLAMATION" ba ki pdiang ia ka CONSTITUTION OF INDIA (Ref. White Paper on Indian States: Appendix LIV: pp. 365-372).

20 Baroh napdeng kitei ki "STATES" kiba la soi ia ka "Instrument of Merger", bad ki "Part B States" kiba la pynmih "Proclamation" ki la ioh ruh ka pension (Privy Purse) lait noh ka KASHMIR kat kum ba ka paw na ka WHITE PAPER ON INDIAN STATES (1950 Publication). Hynrei kat kum ba paw na ka kot — KARAN SINGH AUTOBIOGRAPHY (1989 Publication - p. 233) u Maharaja Hari Singh jong ka Kashmir u ioh 'Privy Purse'. Ia kane la iathuh ruh kat kum ba paw na ka kot u V.P. Menon — THE STORY

OF INTEGRATION OF THE INDIAN STATES (1961 Publication : p. 465). Ha ka jingidei bad ka Kashmir, la pynrung ia kawei ka Article 306-A (laispah hynriew-A) ha ka Draft Constitution kat kum ba ka paw na ka Constituent Assembly Debates : Volume X (17th October 1949) : pp 421-429. Ha ka "Final Constitution", katei ka Article 306-A ka kylla long ka Article-370 (laispah hyn-niewphew). Ia ka Article 225 (arspah arphew san) ha ka Draft Constitution la lah weng noh (omitted) kat kum ba ka paw na ka Constituent Assembly Debates : Volume X (13th October 1949) pp. 176-77.

21. Ha ka jingidei bad ki "Khasi States", ka History te ka ieng sakhi ba ki "Khasi States" ki soi tang ia ka 'Instrument of Accession' bad kim shym soi ia ka 'Instrument of Merger' lane pynmih 'Proclamation',

22. Namar ba ki "Khasi States" kim shym la soi ia ka 'Instrument of Merger' lane pynmih 'Proclamation' kumta la shu thoh noh ha ka jingbatai ba naduh ka 26 (arphew hynriew) tarik January 1950 (shihajar khyndai spah sanphew) ki "Khasi States" ruh ryngkat bad ka "Assam Province" lang bad ki "Assam Tribal Areas" kin iadon noh hapoh ka "ASSAM STATE" kumba la kdew ha ka First Schedule (Annexure II) jong ka "Final Constitution" (CONSTITUTION OF INDIA). Kitei ki "Assam Tribal Areas" ki dei kito, kat kum ba la kdew ha ka ASSAM TRIBAL AREAS ORDER, 1947 ba la pynmih hapoh ka Notification No. 387-NEF dated the 30th October 1947, pule lang bad ka Notification No. 388 - NEF dated 30th October 1947 (Annexure VI).

23. Ia ki bor kiba ki "Khasi States" kim shym ai sha ka Dominion of India lah ban shem ha ka "ANNEXED AGREEMENT" kaba long

ka bynta jong ka 'Instrument of Accession' (Ref. White Paper on Indian States : Appendix XXV & XXVI ; pp. 215-218) bad la shon ruh ha ka kot (KI HIMA KHASI : pp. 22-25).

24. Ha ka "Draft Constitution" ki don 315 (laispah khadsan) tylli ki 'Article' bad 8 (phra) tylli ki 'Schedule'. Ka Sixth Schedule ha ka "Draft Constitution" ka iasoh bad Article 190 (shispah khyndai phew) jong ka "Draft Constitution. Hynrei ynda la lah pynbeit pynbiang ia ki Article kiba don, nangta weng noh ia ki katto katne bad pynrung thymmai ia ki katto katne ki Article te ka Article 190 (shispah khyndaiphew) ka la kylla long Article 244 (arspah sawphew saw) noh. Ka "Final Constitution" ha ka por ba pass ia ka da ka Constituent Assembly of India ka kynthup 395 (laispah khyndai phew san) tylli ki Article bad 8 (phra) tylli ki Schedule (Annexure II). Na kawei ka por sha kawei ka por la pynwandur (amend) ia ka CONSTITUTION lyngba ki "Constitution Amendment Act". Hangne te yn ym pat ia kren shaphang kita ki "Constitution Amendment Act".

25. Mynta ngin ia phai sha ka Sixth Schedule jong ka Constitution of India. Ia ka Sixth Schedule (ha ka Second Reading) la iatai hapoh ka Constituent Assembly ha ka 5 (san), 6 (hynriew) bad 7 (hynniew) tarik September 1949 shihajar khyndai spah sawphew khyndai). Ka la don ka jingiatai nia kaba jur shaphang ka paragraph 20 (ha kata ka por ka dang dei ka paragraph 19; ka kylla paragraph 20 namar ba la pynrung thymmai ha ka 'Draft' sa ia kawei ka paragraph 16-A kaba hadien ba la pynbeit khatduh ka la kylla long paragraph 17, bad ka paragraph 19 ka la kylla long paragraph 20) Imat ha ka por ba iatai nia, ka la don ka jingkyrmen ba ki "Khasi States" kin long ka bynta ka ASSAM. U Shri Gopinath Bordoloi ha kawei ka bynta jong ka jingkren jong u ha Constituent Assem-

bly ha ka 7 (hynniew) tarik September. 1949 (shihajar khyndaispah sawphew khyndai] U ong- "When we know for a certainty that these States Areas are going to be merged with the Districts of Assam I do not think there can be anything wrong". Ia ki jingiatai nia ia ka SIXTH SCHEDULE (ha ka Second Reading) lah ban shem ha ka Constituent Assembly Debates, Volume IX: pp 1001-1082. Ia ka jingheh jingiar jong ka "Autonomous District" ba la tip kum ka United Khasi-Jaintia Hills District la batai pynshai ha ka sub paragraph 2 (ar) jong ka paragraph 20 (arphew) jong ka Sixth Schedule kumne harum :- (Annexure III)

26. Hangne yn ym pat ia kren ia ka paragraph 12 (khadar) lane ia ka 12-A (khadar-A), namar yn hap ia kren ruh ia ka Article 246 (arspah sawphew hynriew) bad kiwei kiwei de ki Article jong ka Constitution of India. To yn ia phai sha ka paragraph 3 (lai) bad lehse lah ruh ban ia phai sha ka paragraph 8 (phra) bad 10 (shipheh). Ia ki Bill (Ain) ba la thaw da ka District Council dei ban phah sha u Governor ban ioh ia ka jingmynjur jong u Hangne ka don ka jingiapher kaba khraw hapdeng ki Bill (Ain) ba thaw da ka "State Legislature" bad ki Bill (Ain) ba thaw da ka District Council.

27. Ia ki Bill (Ain) ba thaw da ka "State Legislature," u Governor u lah ban phah biang sha ka "State Legislature" han pyrkhat biang kat kum ka jingai jingmut jong u. Hynrei lada ka "State Legislature" ka pass biang hi kumba la lah pass mynshuwa, bad phah biang sha u Governor na ka bynta ka jingmynjur, te u Governor u hap ban mynjur. Ha ka jingiadei bad ki Bill (Ain) ba pass da ka District Council te kam paw ba ka long kumta, hynrei ha ka jingiadei bad ki Bill (Ain) ba pass da ka "State Legislature" te ka paw da kumwei pat, bad ha ka Proviso

jong ka Article 200 (arspah) jong ka Constitution of India la thoh kumne :

“Provided that the Governor may as soon as possible after the presentation to him of the Bill for assent, return the Bill if not a Money Bill together with a message requesting that the House or Houses will reconsider the Bill or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message and, when a Bill is so returned, the House or Houses shall reconsider the Bill accordingly, and if the Bill is passed again by the House or Houses with or without amendment and presented to the Governor for assent, the Governor shall not withhold assent therefrom.”

28. Hynrei ia ki Bill (Ain) ba la thaw da ka District Council kam teh ia u Governor ba un hap leh kumba leh ha ka jingiadei bad ki Bill (Ain) ba pass da ka “State Legislature”. Te haba shu kren lyngkot lane kren lyngkut te ka District Council ka long tang kum ka kynja “Advisory Council.” Dei namarkata ba ka paw na ka Rai jong ka Khasi States Constitution Making Durbar ba ym don jingmon ban pynhap ia ki “Khasi States” hapoh ka ‘SIXTH SCHEDULE’. Shuh shuh, ka paw ba ia ka “Khasi & Jaintia Hills District” (kaba long ka bynta jong ka “British Area” hapoh ka R1 HYNNIEW TREP) la kwah ban kyntiew kyrdan ia ka ryngkat bad ki “Khasi States” hapoh kawei ka jaid jingsynshar.

29. Ka la don kawei ka Case (Case No. C.A. 394 of 1960) hapdeng u Syiem Jormanik ba kawei ka liang bad ka District Council ha kawei pat ka liang. Kane ka Case, lah ban ong ba ka

don jingiasnoh bad ka UNITED KHASI JAINTIA HILLS AUTONOMOUS DISTRICT (APPOINTMENT AND SUCCESSION OF CHIEFS AND HEADMEN) ACT, 1959. Ka Supreme Court kaba kynthup ia u Chief Justice B. P. Sinha, Justice J. L. Kapur, Justice B.P. Gajendragadgar bad Justice K. N. Wanchoo ha ka rai, ka ong—

“The order of interim suspension therefore passed in this case on July 7, 1959 would be valid subject of course to the respondent being paid the full remuneration unless the District Council can legitimately without the whole or part of it under some statute or rule framed thereunder, being there undoubtedly no express contract to that effect. Before we part with this case we should like to point out the law has now been passed, namely the United Khasi-Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Act, (No. II of 1959) which came into force in October 1959. It deals with appointment of Chiefs and Headmen as well as their removal and suspension (as punishment). The word “Chief” includes a Syiem, Lyngdoh etc. and the respondent would therefore be a Chief within the meaning of this Act and further action may be taken accordingly. We therefore allow the appeal with costs, set aside the order of the High Court and direct that further action be taken in the manner indicated by us above.”

30. U Justice Subba Rao ha ka ‘Note’ ba u la ai la ka jong; u ong—

“I agree with the conclusion. But I have considerable and serious doubts on the question whether, when the Constitution confers in an authority power to make law in

respect of a specified subject matter, the authority can deal with the same subject matter without making a law in its administrative capacity: I would, therefore, prefer not to express my opinion on this question. But I agree with the other two reasons given by my learned brother, namely (1) If the respondent's contention were to prevail, the order of appointment would itself be bad, with the result that the Siem would not have any right to the office; (2) On October 16, 1959, an Act, known as the United Khasi Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Act, (No. II of 1959), was passed and therefore there is now valid law empowering the District Council to remove a Siem; and as the enquiry in question is only at its initial stage, it can hereafter be validly conducted under the provisions of the said Act."

31. Katei ka kyntien "valid law" ka long shisha kaba don jingmut. Shaphang ka jinglong "valid" lane jingbym long "valid" jong ki "Ain" ba thaw da ki Dorbar Thaw Ain, ka 'Court' ka don ka bor ban batai pynsbai la ka jong ha ka por kaba dei bad haba wan sha ka "Court" lyngba ka lynti kaba dei. Haba ia kren shaphang ka "Court" (High Court lane Supreme Court) ka pynkynmaw ia kawei ka jingong ha ka ktien Latin "NIHIL HABET FORUM EX SCENA" (The Court has nothing to do with what is not before it)

32. Ka District Council, tang mar ia mih bloit sha pyrthei, ha ka jinglong ba dang lung, ka la hap ban shimti pateng ia kawei ka kam kaba kbha ba la iehnoh pateng shiteng sbiliang da u Deputy Commissioner. United Khasi Jaintia District Case 30/5/59, dated Shillong the 2nd March 1951 ba la phah sha u. Jormanik Syiem,

Jaiaw, Shillong. Katei ka dei ka kam kaba ia-snoh bad ka kam thung Syiem ha kawei ka Hima, bad kata ka Hima ka dei ka Hima Mylliem.

33. Ha ka por synsbar Phareng, ka Sorkar Phareng ka dei ka bor kaba ha kblich duh (Paramount Power) ha ki kam thung "Syiem" ha ki Hima. Ka Sorkar Phareng ka la wan ban synsbar ia ki Hima, ym dei na ka bynta ka jingbit jong ki Hima ryngkat bad u khun u hajar, hynrei na ka bynta ka jingbit jong ki Phareng kein. Ia ki Syiem, ki Lyngdoh, ki Wahadadar, ki Doloi, ki Sirdar la thung kat kum ka Dustur ba la pynwandur da ki Phareng na ka bynta ka jingbit jong ki Phareng.

34. Lada don kano-kano ka jingbit ia u khun u hajar na kata ka jingleh jong ki Phareng. ka long namar ba kam ktah ei-ei ia ki Phareng lane ia ka jingbit jong ki. Haba ki Phareng ki la leit noh, la dei kein ban pynwandur biang ia ki dustur thung Syiem, Lyngdoh, Wahadadar, Doloi, Sirdar kiba yn long shisha na ka bynta ka jingbit ki khun ki hajar ha la ki jong ki jong ki Elaka bad Hima.

35. Ka jingkylli kaba ju mih ka long, la ka long kaba shisha ba baroh ki bynta trei kam jong ki Shnong, ki Raid, ki Shnat, ki Elaka, ki Hima kila hap lut hapoh ka District Council ne dang don ki bynta kiba lait de? Don kiba ong ba baroh ki bynta trei kam ki la hap lut hapoh ka District Council. Nangta don pat kiba ong ba don ki bynta trei kam kiba ym hap hapoh ka District Council, bad kiba hap te ki dei tang kito ki bynta trei kam ia kiba la pynkup bor ha ka Sixth Schedule jong ka Constitution of India. Shu bub, kum ka kam kaba iadei bad ka "Pomblang Nongkrem", ka long kaba artatien shibun ba ka District Council ka don ka bor ban ia

tuklar ne ia batai kiba kumno ki jaid blang ba dei ban knia lane kiba kumno ki jaid sla ba dei ban pyndonkam.

36. Sa kawei ka jingkylli kaba mih ka long, la ka rukom thung ia ki Khlieh Nongsynsbar naduh ki Shnong, ki Raid, ki Shnat, haduh ki Elaka ki Hima ki hap hapoh ka bor thaw ain jong ka District Council kat kum ka clause (g) jong ka paragraph kaba 3 (lai) — “Appointment or Succession of Chiefs or Headmen” ne ka hap hapoh ka clause (j) jong katei ka paragraph kaba 3 (lai) jong ka Sixth Schedule kaba iasnoh bad ka Imlang Sahlang — “Social Customs.”

37. Ha katei ka bynta to ngin ia phai khyn-diat sha ka jingkren jong u Prof. R.R. Thomas ha ka jingialang jong ka Khasi States Constitution Making Durbar ha ka 18 (khadphra) tarik bad ha ka 20 (arphew) tarik July 1949 (shihajar khyndai spah sawphew khyndai). Ha kawei ka bynta jong ka jingkren jong u ha ka 18 (khadphra) tarik u ong kumne :—

“Ka don ka jingsyier kumba la pyni da u Member ba don burom haba u kren ia ka (Amendment) jingtyrwa pynbeit jong u ba ym don ka jingkren shai ha ka Schedule kaba VI (hynriew) shaphang ki Syiem, ki Khlieh, ki Hima jong ngi baroh, ki Dorbar bad kum kine ki riti jong ngi ba kin neh. Ka Schedule ka kren tang ia ki “Chiefs” ki bym shym don ka hok ban iateh Instrument of Accession namar ba ka thew tang ia ki bad ym ia ki Khlieh jong ki States jong ngi.”

38. Ha ka jingkren ba u Prof. R.R. Thomas u kren ha ka 20 (arphew) tarik u ong ruh:—

“Chief” :— Ha ka Schedule VI (hynriew) lah

ban batai ban kynthup ia ki Syiem, hynrei kam shym thmu ia ki Syiem kiba la iateh Instrument of Accession hynrei ia kito ki Chiefs kiba long hapoh ka District Connail-ki bym shym la don hok kum ki State ban iateh Instrument of Accession."

39. Ka por ka iaid, bad ka paw ba ka "Sixth Schedule", kam shym la lah ban pynur-long ia kata ka jingphohsniew, ka jingangnud bad jingthrang ban pynioh ha ka Jaidbynriew hapoh ka Bri U Hynniewtrep ia kata ka jaid jingsynshar hapoh tang kawei ka jylli synshar (niuma, mynta don sa ka "First Schedule" bad ka por kan syrpai). Ha ka snem 1964 (shihajar khyndai spah hynriew phew saw) ka Sorkar Jylla, (ha kata ka por ka Sorkar Assam) ka la pynmih ia ka Notification ban dkhat noh ia ka Jowai Sub-division bad pynlong "Autonomous District" noh la ka jong, ym dei namar ba iapher ka long jaidbynriew, hynrei kat kum ba ka phalang na ka Report jong ka Commission ba la thung na ka bynta katei ka kam, ba dei na ka bynta kata kaba ki ong ka "Administrative Convenience" ban kham suk ha ka liang synshar ka khadar (bad ka lah ruh ban long kumta na ka bynta ki Hima kiba kham heh, kum ka Hima Mylliem, Hima Nongkblaw, Hima Maharam bad kiwei ki-wei ki Hima kiba kham heh)

40. Ka Jowai Autonomous District Council (mynta la tip kum ka Jaintia Hills Autonomous District Council) imat ka la khei bylling, kum klet, ym johkhie ym poi pyrkhat ban ithuh ia u Longbteng jong u Syiem Rajendra Singh jong ka Hima Jaintia uba la ioh 'pension' na ka Sorkar Phareng ha ka dor Rs. 500/- (sanspah tyngka) shibnai. Wat la ka Sorkar Phareng ka dei ma-kna ka bor Synshar Mynder, pynban ka bteng ban ai ia ka 'pension' bad uba ioh hadien U

Rajendra Singh u dei u pyrsa jong u, u Chatra Singh Nripa. Hadien ba la iap u Chatra Singh Nripa, ka Sorkar Phareng ka la thap leh klet ban ithuh ia u Longbteng jong u Chatra Singh Nripa. Hynrei ynda ka Thma Bah kaba ar ka la khie, u H.G. Denny Chief Secretary jong ka Government of Assam u la pyrshang ban ia kynduh ia u Bah Che (u khun jong u Bah So-rendro Bareh, Jrisalien, Jowai). U Bah Che u dei na ka liang na ka iing long Syiem jong ka Hima Jaintia (ba la tip mynshuwa kum ka Hima Sutnga). U Bah Che u la ioh ia ka kyrdan shipai kaba kham halor (Commission Rank), bad u la poi shaduh ka kyrdan Colonel.

41. Shuwa katei ka snem 1964 (Shihajar khyndai spah hynriewphew saw) ka la lah don ka United Khasi-Jaintia Hills Autonomous District (Appointment of Chiefs and Headmen) Act, bad ka Jaintia Hills Autonomous District Council ruh ka pyntrei kam hi ia katei ka Act, ryngkat bad ki jingpyinkylla hangne hangtai ban iadei dur bad ki Elaka kiba don hapoh ka Autonomous District.

42. Ia katei ka ain : Appointment and Succession of Chiefs and Headmen Act, la pyinkylla (amend) la bun sien, na kawei ka por sha kawei ka por, bad ka phalanghi ba katei ka Ain kam pat biang, lane ioh ba kam iadei dur hi ruh bad ka rukom pyrkhat jong u paid ka Ri. Ka Executive Committee jong ka District Council ka bun kam bha ha ka jingiadei bad ka jingpyntrei kam ia katei ka Ain, bad bun ki mukotduma ki la mih bad poi sha High Court bad wat shaduh Supreme Court ruh. Kum ban shu pynkynmaw hangne, ha ka 26 (arphew hynriew) tarik November 1959 (shihajar khyndai spah sanphew khyndai) ki la don katto katne ki 'Riew Rangbah kiba la thoh pyrshah sha U Governor shaphang ka jingpynjari

ia katei ka Ain. (Annexure IV), bad uba long Governor ha kata ka por u dei u General S.M. Srinagesh.

43. Ka jingiadei ka Government of India bad ka Government of Assam ha kawei ka liang bad ki Hima Khasi (Khasi States) Ha kawei pat ka liang hadien ka 25 (arphew san) January 1950 (shihajar khyndai spah sanphew) ruh ka iai neh iai sah hi kat kum ki kyndon kiba don ha ka 'Annexed Agreement' kaba long ka bynta ba pura jong ka Instrument of Accession ba ki hima Khasi (Khasi States-) ki la soi bad pdiang hun mynsiem da u Governor-General of India ha ka 17 (khad hynniew) tarik August 1948 (shi hajar khyndai spah sawphew phra).

44. Naduh ka Republic Day- kata haduh ka 26 (arphew hynriew) tarik January 1950 (Shi hajar khyndai spah sanphew) ki Hima Khasi (Khasi States) kim shym la kylla long ki Jamindari— lane ki Ri Kynti jong ka Disirict Council lane jong ka Government of Assam. Shipor, la nang iarap pynbat da u Governor kat kum ka paragraph 19 (khadkhyndai) jong ka Sixth Schedule.

45. Namar ha ki Hima Khasi (Khasi States) kim shym la kylla long ki Ri Kynti jong ka District Council lane jong ka Government of Assam, namarkata donkam ka jingpynbeit kaba kham thikna, bad kumta, shi sngi shuwa ka Republic Day kata ha ka 25 (ar phewsan) tarik January 1950 (shi hajar khyndai spah san phew) la pynmih ia kawei ka ORDER - The Khasi States (Administration of Justice) Order, 1950 ba la pynmih hapoh ka Notification No. SK/140/49/8 dated the 25th January 1950 bad shon hi noh mar-mar ha ka Assam Gazette, Extraordinary, January 25, 1950. Ia katei ka ORDER la shon bad

pynmih ruh ha ka Appendix - E • jong ka kot Ki Hima Khasi.

46. Ha ka 27 (arphew hynniew) tarik June 1952 (shi hajar khyndai spah san phew ar) la pynlong (Inagurate) ia ka District Council Ha ka 31 (laiphew wei) tarik March 1953 (Shi hajar khyndai spah sanphew lai) ka District Council ka la pass ia kawei ka Resolution ba ki Hima Khasi (Khasi States) kin hap ai sha ka District Council shi tyngka naman ka phra tyngka (one eight) ba ki Hima ki ioh na la ki Hima. (Ref. Proceeding of the District Council 31st March, 1953). Ka jingkylli ka lah ban mih la katei ka Resolution ka la dei dur bad ki kyndon kiba don ha ka Annexed Agreement?. Kum ban shu pynkynmaw hangne ki Hima Khasi (Khasi States) ki iasoh bad ka India da kaba soi ia ka Instrument of Accession kaba kynthup kyrpang ruh ia ka - Annexed Agreement (Ref. White Paper on Indian States, 1950 Publication Appendix XXV & Appendix XXVI: pp. 215-218). Ia katei ka Instrument of Accession ryngkat bad ka Annexed Agreement la shon bad pynmih ruh ha ka Appendix-C jong ka kot Ki Hima Khasi

47. La iakren shaphang ka Sixth Schedule bad to mynta yn ia phai khyndiat sha ka Seventh Schedule. Haba pule ia ka Sixth Schedule sngewbha ban phai de sha ka Article 244 (arspah saw phew saw) bad haba pule ia ka Seventh Schedule sngewbha ban phai de sha ka Article 246 (arspah sawphew hynriew). Ym shym paw ba ka Article 246 (ryngkat bad ka Seventh Schedule) kan hap ban kynriah sharud haba ka Article 244 (ryngkat bad ka Sixth Schedule) kan iaid lynti. Kaba paw te ka long ba ka Dorbar Thaw Ain jong ka Jylla (State) ka don ka bor ban thaw ain halor ki bynta ba la kdew ha ka State List (Seventh Schedule), kynthup lang ia ka "Local

government" kat kum ba la kdew ha ka Entry 5 (san) jong ka State List (Seventh Schedule).

"Local government, that is to say, The Constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-government or village administration."

48. Haba sngap thuh shane shatai, sharum shaneng, imat ka don ka jingbym-iashai bha shaphang ki bor jong ka District Council kat kum ba la pynkup da ka Sixth Schedule bad shaphang ka kyrdan jong ki Rangbah ha ki Shnong terter ha ki Raid, ki Shnat, ki Elaka bad Hima, bad kumjuh ruh ki bor ki Dorbar Shnong terter haduh ki Dorbar Hima. Kumba ki ling ha la ki iing ki iing ki long ki kut kiba skhem ia la ki jeng ki jong ki KUR : add-lang ia ki KUR ngi ioh ia ka Jaidbynriew, kumjuh ruh ki Dorbar Shnong, Raid, Shnat, Elaka bad ki Hima ryngkat bad ki Tymmen ki San, ki Sirdar, ki Doloi, ki Lyngdoh, ki Wahadadar bad ki Syiem ki long ki nongsharai bad ki kut kiba skhem jong ka Jaidbynriew hi baroh kawei hapoh kane ka Bri U Hynniewtrep -

Ka Ri ki Hynniewtrep tal'wiar Sohpetbneng,
 Ka Ri ki longshuwa ba la buh ba la seng;
 Ka ri ki mawbynna, Ri u soh u pai,
 Ki par, bad kshaid ba noh rymphai.
 Ri Ri

Nga ieit thoin thoin la ka Ri;
 Tipkur, tipkha, tipbriew, tipblei,
 Hynniewtrep, Ri shong pdeng pyrtbei.

49. U Myllung Soso Tham ha ka ktien lamphrang (Ka Jingpynshai) jong ka kot ba don nam jong u - KI SNGI BARIM U HYNNEW-TREP - u ong "Nga iohi ruh ia la ka Ri ha tmier ka riat ba shyrkhei Sa tang katno ia ngi kiba tang shitroh, lada ngim kyndit bynriew kan sa tyllep ka um saw, bad ngin sa long ki nong Gebion ban thoh dieng ban tong um iano re-." Don ka jingong ba ka ki bad ka Jaitbynriew kaba klet ia la ka Geography bad History la jong ka lah ban poi shaduh u pud ba ka lah ban jah syndon na sla pyrthei. Niuma, nador ka Geography bad History, ngi don ruh ka purinam (Mythology) kaba long ka mynsiem ka mynsian ka History jong ka Jaitbynriew hapoh ka Bri U Hynniewtrep (With due regard to Geography, Mythology is the starting zone of History of the people of Ri Hynniewtrep). Hapdeng ka jinglyngngoh bad jingshaiong ba lah ban don shipor arpor, ngi ap kyrmen ia ka lawei kaba phyrnai, bad kumba ong u Myllung Soso Tham—

SA SHISIEN PAT KIN WIN KI KHLAW,
SA SHISIEN PAT KIN KHIH KI MAW,

KA RI HYNNIEWTREP BAD KA SIXTH SCHEDUSE

Annexure I, II & III

Please see Annexures I, V & V-A of the MEMORANDUM Submitted by the Syiem of Myllem and Durbar Myllem Syiemship to the Secretary Assam Meghalaya Boundary Committee (Ref. Enclosures of the book—RYNGKAT BAD KA HIMA MYLLIEM by L. Gilbert Shullai.

Annexure IV

(copy enclosed)

Annexure V

Please see Notification No. DC/L/VII/4/1072 dated the 29th July 1935 published in the Gazette of Meghalaya, Part IV: No. 22 : Thursday, September 19, 1985 : pp. 85-87

Annexure VI

Please see Annexure VI of the book-EAST MEGHALAYA : LAND OF "KI HYNNIEW TREP" by L. Gilbert Shullai.

ANNEXURE IV

Petition submitted on the 26th November 1959 to the Governor of Assam (General S.M. Srinagesh) by H. Kharkongor, Gour Mohon Roy Kharkongor, Shara Lyngdoh, Niha Singh Myntri and others praying for enquiry into the validity and propriety of the United Khasi - Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headman) Act, 1959.

Ha

**U GENERAL S.M. SRINAGESH.
GOVERNOR KA RI ASSAM, SHILLONG.**

Ka jingthoh kyrpad jong ki jaid kiba sain ia ka Hima Myllem, ban ioh ka jingtohkit shaphang ka jingshongnia bad shong hok jong ka Ain Thung Syiem thung San jong ka District Council ka Ri Khasi-Jaintia jong ka snem 1959.

Da kaba Burom eh ka pyni kumne harum,

1. Ba ki nongai ia kane ka jingthoh ki dei ki trai bad ki nongmihkhmat ia ki jaid kiba la sain ia ka Hima Myllem, kiba don ka hok ban thung la u Syiem bad ki Myntri ki ban iashong dorbar bad pyniaid ia ka kam synshar khadar jong ka hima kumba la buh la tang na mynbarim.

2. Ba ia ka Hima jong ngi la pynlong da ki bun tylli ki Raj bad kawei pa kawei ka Raj ka kynthup bun tylli ki shnong, baroh u shynrang briew u don ka hok ban shong ha ka dorbar shnong.

3. Ba ka Khet long Syiem ka long ka kam kaba kyntang, namar ha ka la pynkhamti ban iada bad pynbat ia ki hek ki riti bad ban pynsnoh ia ki kamram jong ki khun ki hajar iwei pa iwei hapoh ka Hima kumba ki Nohgsain Hima ryngkat bad ki dorbar shnong bad dorbar Raj ki la tang la pung bi, ban pynsoh ha u Syiem ia ka jingtylli kawei jong ki shnong bad ki Raj kiba pynlong kawei ka Hima pyllun.

4. Ba la pynsgewthuh ia ngi ba ka District Council ka long ka jingsynshar kaba wan ban pynneh ia ki hok ki riti u Khun Khasi Khara uba long kawei na ki jaidbynriew kiba rim tam ba la shong ba ri India, ym ka jingsynshar kaba ban rat ia ki thied ki jaw jong ki rukom im bad dustur baju don. Kine ki Member ka District Council kiba mynta hi ruh, ki la ai la ka kular ha ka por elekschon ba kin pynneh pynsah ia ki riti synshar jong ngi kiba ngi ieij katta katta.

5. Ba kyndit kyndit la pynshaiong ia ngi ki nongai ia kane ka jingthoh, ba kine kiba bat ia ka hor ha ka District Council mynta, khlem da pynbna paidbah lem ki la leit lam kawei ka jingtyrwa ban thaw ain shaphang ka rukom thung Syiem, thung Lyngdoh bad kiwei ki Longsan, bad kata ka Ain ka iuhroit ia ki hok jong ki nongai ia kane ka jingthoh bad ia ki longdien mandien jong ki, bad ka dain ia ka jinglong Khasi naduh dyngkhong bad ynda la pynjari ia kata ka Ain, ka jaitbynriew Khasi kan sa shu jah lyngaid artad.

6. Ba tang shu bna ba ka District Council ka rai ban thaw ia katei ka Ain, katto katne ngut napdeng jong ngi, ngi la leit iashem markhmat bad u Minister uba dei khmih ia ki kam jong ki Riewlum ngi da kyipad ia u ba un pynphai kylla shuwa ia kata ka Ain sha ka District Council ba kan da pynbna paidbah shuwa ia ka ha ktien Khasi khnang ban vad ia ka jingsngew uba bun uba lang. Utei u Minister u la ong ba ngin da ai da ka jingthoh bad ia kata ka ngi la ai ha ka 8 tarik u September 1959, hynrei namar ba u Minister um dei u Khasi imat um lah satia ban sngewthuh ia ka jingkh'a jong ka

kam lane niewkor ia ka jingkyntang jong ka dustur Khasi, um shym pyrshang ban leh ei ei ban khang ia ka jingkyrkieh ban thaw ain ia ka kam kaba khia kat kane bad kaba ktah ia ka tynrai u Khun Khasi Khara.

7. Ba ki nongai ia kane ka jingthoh da ka jingsngew bukhoh kaba khraw, ki sngewmat ba ma phi u Governor phi la ai jingmynjur ia ka-tei ka Ain, lehse da ka jingngeit ba la lah pynbna paidbah ia ka ha ka rukom kaba dei ba ki paidbah babun ki la pdiang ia ka.

Khnanng ba ka Burom bakhraw jong phi kan sngewthuh ia ka jingkhia jong ka kam bad ban sngewthuh ia ka jingtieng jong ngi bad ia ka jingjot kaban mih na katei ka Ain, ngi huh kine ki khmat harum ha ka jingpyrkhat sngewlem jong phi.

(i) Ba ka District Council kam donbor ban thaw ia ki Ain kiba ia pyrshah bad ki dustur ba tynrai jong ki paidbah.

(ii) Ba ka long ka bym dei ba ka District Council kan niew ia ki Syiem, ki Lyngdoh bad kiwei ki nongsynshar, kum ki shakri ne nong bam tulcp jong ka, namar ia ka kyrdan jong ki, ki Sordar ruh ki ju tip bha, bad ki la batai shai ha kawei ka jingpynbna kaba No TAD/R/23/51/14, dated 8th November 1951 ba pynbna ha ka Assam Gazette kaba la mih ha ka 14 tarik u bnai November 1951 kaba ong kumno harum:—

“(4) Na ka bynta ka dkhot (a) jong ka Sub-rule (1), ia U Syiem ne U Sordar, U Lyngdoh, U Wahadadar, U Daloi, U Ship (Chief), U Nokma, Laskor, U Tymmen Shnong

ne uno uno uba kat kum ka Riti la pdiang ba u long u Khlieh jong kano kano ka bor synshar Trai-ri ba la ithuh da ki Sorkar, ym bit ban khein ia u ba u long u shakri tulop jong ki Sorkar lane nongtrei jong ka District Council."

(iii) Ba kane ka ain thymmai ka wad pynban ban pynduh pyndam ia ki riti tynrai ba la pyn kup ha kitei ki bor synshar ba la ong haneng, da u khun u hajar, ka ri Khasi ba kitei kin kitkhlieh ia la ki kamram kumba la tang kat kum ki riti ba la ia bat naduh barim. barim

(iv) Ha ka Clause (f) jong kata ka Ain jong ki District Council, la ong ba ka ktien "Durbar" kan mut ka Dorbar ban thung da ka District Council hapoh kano kano ka ain jong ka ban batai kumno u Khlieh (Chief) un pyniaid ia ka jingsynshar.

(v) Ba da kane ka Ain, ka District Council mynta ka ialeh ban pynduh noh ia ka Dorbar ba ju den kat kum ka riti ha ka shnong, ha ka Raj, bad ha ka Hima. Da kaba batai ia katei ka ktien "Ka Dorbar" kumba la kdew ha kata ka dkhot kaba (iv), kata ka Dorbar ka long ka ban dang thaw thymmai da ka District Council, da ka jingthmu ban knieh noh ia ki hok tynrai jong u khun u hajar uba la seng ia ki Dorbar Shnong, Dorbar Raj bad Dorbar Hima. Kane ka Ain namarkata ka la klun ia ki hok ki riti bad ia u khun Khasi ban san ban rang-bah ha la ka jong ka tynrai, bad ban ri ia la ka long Khasi katba nang ia iaidd artad shaphrang bad ki para nong-India.

Kat kum kitei ki jingpyni haneng ngi kyrpad eh ia ka Burom jong phi ba phin sngewbha ban pynlong ka jingtohkit sani shaphang ka Riti Khasi bad hadien kata ka jingtohkit pat ia ka kam baroh kawei, ban pynbeit thikna kat kumba idei khnang ban wallam ia ka jinghun bad ka jingbha jingmiat jong u paitbah Khasi.

Shillong }
The 26th, November 1959 } Ki Nongkyrpad rit,

Sd/- H. Kharkongor
,, Gour Mohon Roy Kharkongor,
,, Shara Lyngdoh,
,, S. Niha Singh, Myntri bad
kiwei kiwei.

La phah copy sha u Chief Minister Assam
u Syiem Myllem ban tip

La ioh ka copy jong ka jingthoh kyrpad
(received copy of representation)

Sd/- T. Krishnamurti, P.S.G. 27/11/59.

To

GENERAL S.M. SRINAGESH.
GOVERNOR OF ASSAM, SHILLONG

Humble petition of Members of the Founder Clans Myllem Syiemship praying for enquiry into the validity and propriety of the United Khasi-Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Act. 1959.

Most Respectfully Sheweth,

That the humble petitioners are members and representatives of the Founder Clans of the Myllem Syiemship called 'Hima,' who have the right to choose the Syiem and Myntris to sit in Durbar for the governance of the Hima, in accordance with the age-old custom and traditions.

2. That our Syiemship is comprised of several groups of villages called 'Rajs, and each Raj again, comprises of a number of villages called 'Shnong,' all the adult males of which are members of the Durbar Shnong

3. That the office of the Syiem is a sacred institution entrusted with the protection and preservation of the rights and the regulation of duties of every citizen (villages), of the Syiemship, which the Founder Clans along with the durbars of villages, called 'Durbar Shnong' and 'Durbar Raj' have appointed unto themselves by a covenant on oath, the Syiem as symbol of unity of all villages and groups of villages, comprising the Syiemship.

4. That the District Council as we were made to understand was an institution which has come to protect and conserve the traditional rights and the institutions of the Khasi tribe which is of the oldest inhabitants of India; and not to uproot them from their traditional ways and custom. The present Members of the District Council also during their election campaigns, assured every Khasi that they would strive and work for the protection and conservation of our institutions which we hold so dear.

5. That to the utter surprise and dismay of the humble petitioners, the present regime of

the District Council, without giving proper publicity, introduced a Bill for the Appointment and Succession of Chiefs and Headmen which violates the existing custom and usages and usurps the rights of the petitioner and their posterity, and strikes at the very root of Khasi life. The effect of which will be the extinction of the Khasi tribe,

6 That on learning that the District Council during its last session, passed the above Bill, some of the humble petitioners personally approached the Hon'ble Minister i/c Tribal Affairs, requesting him to send back the Bill to District Council for giving wide publication in Khasi in order to elicit public opinion. The Minister instructed them to state their complaint in writing which they accordingly did on 8th September, 1959, but it appears that the Hon'ble Minister being a non Khasi failed to appreciate the situation and respect the sanctity of Khasi custom, he did not make any effort to prevent such a hasty legislation on a matter" which is so serious and fundamental to the Khasi race.

7. That to the humble petitioners' disappointment is now transpires that Your Excellency has given assent to the Bill, apparently under the impression that the Bill had been duly and properly published to the people and had had their general acceptance.

That to enable Your Excellency to appreciate the situation and to understand our genuine apprehension of the disastrous effect of the Act, we beg to place the following points for your sympathetic consideration :—

(i) That the District Council has no power to make law which, contravene the fundamental custom and usages of the people.

(ii) That it is wrong for the District Council to assume that the Khasi Syiems, Lyngdohs, and other functionaries are servants or incumbents of the District Council, which fact the Government has always been aware of, and had it clearly defined in Gazette notification No. TAD/R/23/51/14 dated 8th November, 1951 published in the Assam Gazette of Nov. 14, 1951, which runs as follows :—

“(4) For the purpose of Clause (a) of sub-rule (1) a person shall not be deemed to be a salaried servant of the Government or an employee of the District Council in the autonomous district by reason only that he holds an office of Syiems, Sirdar, Lyngdoh, Wahadadar, Doloi, Chief, Nokma, Laskar, Gaonbura, or other customary head of a tribal institution, as the case may be whether called by this or any title, who is recognised as such by the Government or other competent authority ”

(iii) That the present Act seeks to ignore the inherent responsibilities of the various functionaries in the Khasi Polity as constituted by the children of the soil (ki khun ki bajar), to undertake the duties sacredly assigned to them by the time honoured custom.

(iv) That in Clause (f) of the Definitions given in the Act, the term “Durbar” has been defined to mean “Durbar constituted by the

District Council under any law to guide the Chief in running the administration :”

(v) That the District Council by this Act now seeks to demolish the customary durbars of villages, groups of villages and the Durbar Hima (full Durbar of the Syiemship), by defining the term “Durbar” as quoted in (iv) above, which “Durbar” is a new creation of the District Council with view to usurp the fundamental right of the people constituting the villages, the groups of villages and the Syiemship. The Act therefore circumscribes the right of the Khasi people, “To grow on their own roots” and to preserve their identity in their forward march along with the rest of the country.

Under the cricumstances we fervently request Your Excellency to kindly institute an enquiry into the khasi constitution and in the light of such enquiry to review the whole situation and take such measure as you deem fit so as to ensure contentment and well being of the Khasi people.

Shillong,

The 26th November 1959 } Humble petitioners,

Sd/- H. Kharkongor,
 „ Gour Mohon Roy Kharkongor
 „ Shara Lyngdoh,
 „ Niha Singh Myntri and others.

Copy to the Chief Minister Assam, the Syiem of Myllem for information.

(Received copy of representation)
 Sd/- T., Krishnamurti, P.S.G. 27/11/59.

KHASI STATE PEOPLE'S UNION OF YESTERYEARS

—L. Gilbert Shullai

Before the Khasi States signed the Instrument of Accession on the 15th December 1947, the following letter (No 1440/C dated Shillong the 13th December 1947) was issued under the signature of the Adviser to His Excellency the Governor of Assam addressed to the Secretary, Federation of Khasi States :—

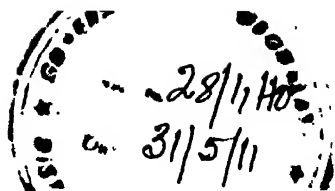
“I am directed to refer to your letter No. 36/Pol/40 dated 12th April 1947, and to say that the Rulers of the Khasi States need have no cause for apprehension. The power of the Dominion Legislature to make laws in the States, as stated in your letter, is in accordance with the provisions of the Instrument of Accession, but is limited to those subjects, which are included in what is known as the Federal List (Seventh Schedule, Government of India Act, 1935), read with Section 5 of the Agreement attached to the Instrument of Accession.

There is therefore no need to specify the subjects in detail in the Agreement, as they are, as stated above, included in the Federal List.

Furthermore I am to add that where a standstill arrangement exists, the existing laws continue as before.

I trust that this answers your questions”.

In the last part of 1948 (one thousand nine hundred forty eight) Elections were held to elect



the Members of the Khasi States Constitution Making Durbar. There was a Party known as the Khasi States People's Union and the other known as the Khasi-Jaintia Federated National Conference under the Presidentship of Rev. J.J.M. Nichols Roy who was also one of the Members of the Constituent Assembly of India from the Province of Assam. It may be mentioned here that Manipur, Tripura and Khasi States are represented by Mr. G.S. Guha.

On December 9, 1948, the Secretary of Federation of Khasi States informed the "Khasi States" that Rev. J.J.M. Nichols Roy had submitted a proposal in the Constituent Assembly of India, and that the proposal was to include the following proviso in Article 190 of the Draft Constitution of India:—

"Provided that notwithstanding anything contained in Article 225 the Governor of Assam may by public notification direct that any Khasi States area may be administered as if it were part of the autonomous district of the Khasi and Jaintia Hills mentioned in Part I of the Table appended to paragraph 19 of the said Schedule subject to such terms as may be agreed upon by the State concerned and specified in the notification".

On 21, December 1948 a public meeting was held at the Students' Field, Jaiaw Shillong under the auspices of the Khasi States People's Union under the chairmanship of Rai Babadur. D. Ropmay, the following Resolutions were adopted and sent to the President, Constituent Assembly of India:—

RESOLUTION —I

This meeting of the people of Khasi States, under the auspices of the Khasi States People's Union, strongly resents the overbearing step taken by the Assam Minister, Rev J.J.M. Nichols Roy, in the Constituent Assembly of India, in tabling and trying to add after clause (2) of Article 190 in the Draft Constitution of India the amendment which runs as follows :

“Provided that, notwithstanding anything contained in Article 225, the Governor of Assam may, by public notification, direct that any Khasi State area may be administered as if it were part of the autonomous district of the Khasi and Jaintia Hills mentioned in Part I of the Table appended to paragraph 19 of the said schedule, subject to such terms as may agreed upon by the State concerned and specified in the notification”.

This step is taken by Rev. Nichols Roy without the knowledge and against the desire of the majority of the Khasi States people.

That Rev. Nichols Roy does not speak the mind of the Khasi people and has no right to do so is evident from the results of the elections to the Constitution Making Durbar of Khasi States that have taken place in the two premier States, Myllem and Khyrim.

Of the eleven elected seats from Myllem States, which includes the town of Shillong, nine seats have been won by candidates of the Khasi States People's Union or candidates supported

by it in opposition to the candidates of the Khasi Jaintia Federated State National Conference, of which Rev. J.J.M. Nichols Roy is the President. Of the twelve seats from Khyrim State all the twelve have been won by the Khasi State People's Union. Both Myllicm and Khyrim States in themselves claim half of the total strength of elected members to the Constitution Making Durbar, and hence even before elections in other States have taken place it can unmistakeably be seen that the will of the people of Khasi States is overwhelmingly pronounced against the lead claimed and the stand taken by the Khasi Jaintia Federated State National Conference.

The elections all along have been fought under two conflicting principles and aims held by the Conference on the one hand and the Union on the other. The aim of the Conference as publicly declared by its President, in his speech on the 8th October, 1948, which he has published, is to include the Khasi States within the provisions of the autonomous districts of Assam laid down in Schedule 6 of the Draft Constitution of India. This will mean the doing away with the legal and administrative status of States as States. The Khasi States People's Union is opposed of this move of the Conference and stand for the maintenance of the present legal and administrative status of Khasi States and their outstanding democratic institutions within the framework of the Sovereign Secular State of the Dominion of India as agreed upon between the Dominion authorities and the Khasi States by the Instrument of Accession executed jointly by them on the 15th December 1947.

From what has been stated above it is evident that the defeat of the Conference is the defeat

of the principle on which it fought the elections and which Rev. Nichols Roy seeks to give effect to through the amendment tabled by him.

This meeting therefore prays that the Constituent Assembly would be pleased to set aside Rev. Nichols Roy's amendment as it is opposed to the will of a vast majority of Khasi States People.

Proposed by — Prof. G.G. SWELL, M.A.,
Returned candidate, Laitum-
khrach-Malki Constituency,
Shillong town, Myllem State.

Seconded by — Mr. O.H. REASE,
Returned candidate Mawkhar
Constituency, Shillong town,
Myllem State.

RESOLUTION — II

Whereas from letter No. 1440 C dated Shillong, the 13th December 1947, from the Adviser to His Excellency the Governor of Assam for Excluded Areas and States, to the Secretary of the Federation of Khasi States, (printed below) read along with Section 3 of the Instrument of Accession and Article 225 of the Draft Constitution of India, it is evident that the powers of the Dominion Legislature to make laws in respect of the Khasi States are confined to the Federal list of subjects specified in Schedule 7 of the Government of India Act 1935 and the limitations agreed upon in the Instrument of Accession and its annexed agreement, this meeting hereby—

(a) records its appreciation of the arrangement in respect of legislation arrived at with the

Dominion Government;

(b) resolves to appeal to the people in all the States not to be apprehensive and misled by any propaganda of the Conference in respect of the legislative powers exercisable by the Dominion Legislature.

Proposed by — Mr. H COTTON, Returned Candidate, Pongtung Constituency, Khyrim State.

Seconded by — Mr. SPORSOMANIK SYIEM, Returned Candidate, Madan Ing Syiem Constituency, Myllem State.

JYLLUIN-LYMPHUIN KO RI SHONG PDENG PYRTHEI

— L. Gilbert Shullai.

Ha ka jaka ban kyntiew sha ka "FIRST SCHEDULE" ia ka BRITISH AREA (Khasi & Jaintia Hills District) ban iadon lang hapoh kawei ka RI HYNNIEWTREP ryngkat ki KHASI STATES, katkm ba la plie lad plie lynti lyngba ki kyndon ba la kdew ha ka paragraph kaba 4 jong ka ANNEXED AGREEMENT kaba long ka bynta ba pura jong ka INSTRUMENT OF ACCESSION ba la soi da ki KHASI STATES, hynrei ka la long da khongpong, ha kaba la pynbiar kyrdan (relegate) ia ki Khasi States sha ka kyrdan Sixth Schedule.

Hoooid, ki don kiba sngewkmen ba la pynngat ia ka RI HYNNIEWTREP ha kawei ka Autonomous District hapoh ka jylli Sixth Schedule. Hynrei don ki bynta jong ka RI HYNNIEW-

TREP kiba ym hap hapoh katei ka Autonomous District. Hangta, la shem ruh, ba ka shun'ruh ym pat pei, lah da dkhat noh na ka RI HYN- NIEWTREP ia ka Block I bad Block II ha ka snem 1951 (khadkhyndai sanphew wei), katkum ka bor ba la pynkup da ka Sixth Schedule. U Gover- nor ka Assam un ym don ka hok ban pynmih Notification ban dkhat noh ia ka Block I bad Block II na ka RI HYNNIEWTREP, lada ka RI HYNNIEWTREP ka la lah don ha ka kyrdan FIRST SCHEDULE Ka Notification ban dkhat ba la pynmih ha katei ka snem 1951 da ka Go- vernment of Assam ka dei ka Notification No. TAD/R/31/50/148 dated 13th April, 1951 bad la pyniasoh bad ka Mikir Hills Autonomous Dist- rict katkum ka Notification No TAD/R/31/50/ 149 dated the 13th April, 1951.

Ka Sixth Schedule kam shym la lah ban teh song ia ka RI HYNNIEWTREP (KHASI STA- TES BAD KHASI AND JAINTIA HILLS DI- STRICT) hapch kawei kajuh ka jingsynshar. Kaba pynjew mynsiem, to, ka long, sdang ym pat da sdang bha, lah da dkhat pynban na ka RI HYNNIEWTREP da katei ka Notification

Ha ka sngi kaba bud, 14th April, 1951, la don pynban ka jingialang ha madan students' field, Jaiaw, Shillong, bad ym shym la don eiei ka jingkdew ia ka jingdkhat noh na ka RI HYNNIEWTREP ia ka Block I bad Block II. Ia katei ka jingialang la pynteit da ka Confe- rence (United Khasi Jaintia Conference). Hapdeng ki jingkren, u nongkren u iathub.

"Ka jingjia ha ka jingsynshar kaba khraw eh ka la long ba la pyniasoh lang ia ki hima trai ri (Indian States) baroh hapoh ka Sorkar

India. Ia ki States kiba rit barit la pyniasoh lang bad ki Province; ia kiba heh la pynlong kum ki Province Ia kine ki Province baroh la khot ki State ba la pynbynta ha ki lai bynta : Ki State ha ka Part A - 9 tylli; Part B - 9 tylli bad ki State ha ka Part C - 10 tylli”.

Ha ka jingiadei bad ki Khasi State, u nong-kren ha katei ka jingialang u iathuh:—

“Ia ki Khasi State la pynrung hapoh ka Assam ba la thoh ha kine ki ktien hapoh ka First Schedule Part A :

‘The territory of the State of Assam shall comprise the territory which immediately before the commencement of this Constitution were comprised in the Province of Assam, the Khasi States and the Assam Tribal Areas’ (Page 203 Constitution).

Ki jaka kiba hapoh ka State Assam kin kynthup ia ki jaka kiba la long hapoh ka Province Assam haba sdang kane ka Ain India, ia ki State Khasi bad ia ki jaka riwulum ha Assam.

Ha ka paragraph 20 jong ka 6th Schedule jong ka Ain India pat la thoh - (khmih pages 233, 234 Constitution of India)

Na katei ka jingkren ka paw ba ki Khasi States kim shym la don hapoh ka Assam Province shuwa ka sngi ba sdang (commencement of the Constitution) bad kata ka mut ba ia ki Khasi States ym shym la pynlyngkle (merged) hapoh ka Assam Province shuwa ka 26 tarik January, 1950 ia kaba la tip kum ka Republic Day. Ka jingbym lah ban pynlyngkle ia ki Khasi States hapoh ka Assam Province shuwa katei ka Republic Day ka long, namar ba kim

shym soi ia ka INSTRUMENT OF MERGER. Kum ban shu ai nuksa, ka Mayarbhunj States ha Orissa ka soi ia ka "Instrument of Merger" bad la pynlyngkle (merged) ia ka hapoh ka "ORISSA PROVINCE". Te kumta ka "Mayarbhunj States" kam shym paw kyrteng shuh haba batai ia ki pud ki sam jong ka Orissa States naduh ka Republic Day.

La sngewthuh ba la don ka ka jingpyrshang na ka liang ka FEDERATION OF KHASI STATES (ryngkat bad ki unit kiba yn don hapoh jong ka kumba la kdew ha ka paragraph kaba saw jong ka ANNEXED AGREEMENT jong ka INSTRUMENT OF ACCESSION) ban ioh ka kyrdan kaba kham kyrpang hapoh ka Constitution of India da kaba pyndon da ka Article (lane Schedule) kaba kyrpang kumba pyndon ia ka Article 370 na ka bynta ka KASHMIR. Sngewmat la pyrshang ban pynkohnguh ia ka Drafting Committee jong ka Constituent Assembly ban leh ia kane, hynrei ka Drafting Committee da ka jngai jingmut na kiwei pat ki liang, ka la sngewdei pynban ban pynkut noh ia ka Federation of Khasi States bad ban pynhap noh ia ki Khasi States ha ka Autonomous District hapoh ka jylli jong ka Sixth Schedule.

Ka paw ngut-ngut, nget-nget na ka 'Motion' jong u Dr. B.R. Ambedkar (Chairman, Drafting Committee) kaba iadei shaphang ka jingbatai ia ka 'area' jong ka Autonomous District ba la jer kyrteng "United Khasi Jaintia Hills District" ba la buh ha ka 7 tarik September, 1949 ha ka Constituent Assembly, ba imat u Dr. Ambedkar u la ioh ruh ka jingiasyllok kaba jan shibun bad ki Member jong ka Coustituent Assembly kiba na Assam Province, ha ka jingiadei bad ka jing-

pynwandur shuh shuh ia ka Sixth Schedule. Kumba ka paw ha ka page 1004 jong ka Constituent Assembly Debate : Official Report, Vol. IX ha ka 5 tarik September, 1949 ha kawei ka bynta jong ka jingkren jong u Dr. Ambedkar ha ka Constituent Assembly, u la ong, "I must say I was somewhat surprised at the amendment tabled by Mr. Chaliha because like the Fifth Schedule, the Sixth Schedule also has arisen, so to say, out of an agreement between the Drafting Committee and the Premier of Assam, my friend — Mr. Nichols Roy and at which conference Mr Chaliha also was present, and he accepted the new Schedule as amended by the Drafting Committee".

Utei u "Mr Chaliha" ba la kdew haneng u dei u Mr. Kaludhar Chaliha, uwei pat u Member jong ka Constituent Assembly na Assam Province. U Mahamad Saadullah, uba long ruh u dkhoh jong ka Drafting Committee ha kaba shini bynta ha ka Third Reading jong ka Constitution of India, ha ka jingkren jong u ha ka 21 November, 1949 u ong :

"Sir, the Khasi Hills have been relegated to the Sixth Schedule for which Rev. Nichols Roy is very thankful, but there is a constitutional anomaly. Although the Constituent Assembly is not to find a remedy for that, yet I must sound a note of warning that this small district of Khasi Hills embraced 25 (twenty five) native States most of which had treaty rights with Suzerain power in Delhi. They were asked to join the Indian Dominion in 1947. Instrument of Accession accompanied by an Agreement were executed by these Chiefs and they were accepted by the Central Government". Ref: Constituent Assembly Debates — Vol. XI - page 732-736.

Ha ka jingialang jong ka Standing Committee jong ka Federation of Khasi States ha ka 29 October, 1949, la pule ia ka shithi No. 14. CMD/49/20 dated the 25th October, 1949 (na u Chairman, Khasi States Constitution Making Durbar sha u Governor of Assam) kaba iadei shaphang kaba pynlung ia kane ka PROVISIO ha ka Sixth Schedule jong ka Constitution of India :—

“Provided that nothing in this Constitution shall construe as empowering any authority to interfere with or undermine the democratic institutions and traditional customs and usages of the Khasis nor to deminish their traditional rights and privileges”.

La jied ia u President, Syiem Olim Singh, Secretary, Jormanik Syiem, Miss Mavis Dunn Lyngdoh bad Mr. O H. Rease ban leit sha Delhi ban buh ia kaiei ka kam ha ki bor kiba ha khlieh.

Kan jin da la biang, lada naduh kitei ki sngi, lada ka Ri Hynniewtrep ka la don lypa ha ka First Schedule jong ka Constitution of India ryngkat bad ki kyndon ba la kdew ha ka Annexed Agreement jong ka Instrument of Accession. Lehse kata kam shym la long, namar ha la lah don jingbroh na sha kawei pat ka liang, ha kaba lah batai ha ka First Schedule, ha ka jingiadei bad ka Assam State, ba ka Assam State naduh ka 26 January, 1950 kan kynthup ia ka Assam Province, ia ki Assam Tribal Areas bad ia ki Khasi States. Lah ban don kiba yn kylli kiei pat kita ki ‘Assam Tribal Areas’? Te kito kiba kwah ban kham shai ia ka jingmut, ki lah ban phai sha ka Assam Tribal Areas Order, 1947 ba la pynnih da ka Ministry of External Affairs

and Commonwealth Relations. Government of India hapoh ka Notification No. 387-NEF dated the 30 October, 1947 bad la shon ha ka Gazette of India, Part I: Section 1: 8th November, 1947: pp. 1464-1465.

Ka shim por bun snem ba ka Ri Hynniewtrep kan ioh lait na Assam. Hooïd, ha ka jing-ialch, ha ka kylla step, la lait lyngba ka "Hill State" Meghalaya. Sah sa ka kylla miet, da kaba yn kyntiew kyrdan noh ia ka "East Meghalaya" sha ka "First Schedule" hapoh ka kyrteng Ri Hynniewtrep.

Ka Ri Hynniewtrep ka don kiei kiei kiba don DOR bad bun kiei kiei kiba don BUROM. Hooïd, ka Burom ka jrien jyndeï haba ka Akor pat ka or ne pei. Ka Ri Hynniewtrep bad ka Akor ki long kawei; shim noh ia ka Akor, ka Ri Hynniewtrep (Talawiar U Sohpetbneng ka Ri Shong Pdeng Pyrthci) kam long ei-ei U Rangbah Ijun Singh Lyngdoh, ha ki kyntien sur jingrwai u pynkynmaw --

Jylluin lymphuin ka Ri shong pdeng pyrthci
To iathir iakhiar: ba dei bad ba'm dei;
Ban tang sah ka hok, shynrang bad kynthci,
Ban sah pyrto kyrkhu ha u briew U Blei.

RYNGKAT BAD KA JINGKYNMAW IA U SYIEM OLIM SING (HIMA KHYRIM)

— L. Gilbert Shullai.

Ia ki Nongmihkhmat na ki PROVINCE sha ka Constituent Assembly ym shym la jied da ki Paidbah, hynrei la jied da ki Member jong ki Legislative Assembly jong ki PROVINCE. Ha-dien ba la pass ia ka Indian Independence Act,

1947 da ka British Parliament ba ia ka "British India" naduh ka 15 (khadsan) tarik August 1947 (shihajar khyndai spah sawphew hynniew) yn phiah noh bad pynlong 2 (ar) tylli ki Dominion (India bad Pakistan), ka ASSAM PROVINCE ka la jied thymmai biang ia ki Nongmibkhmat jong ka sha ka Constituent Assembly. Ha ka jingiakynduh jong ka Assam Legislative Assembly ha ka 12 (khadar) tarik August 1947 (shihajar khyndai spah sawphew hynniew) la jied 8 (phra) ngut na ASSAM PROVINCE sha ka Constituent Assembly. Hapdeng kitei 6 (Hynriew) ngut ki dei na ka liang ka Congress Party, bad ki long kumne harum :—

1. Shri Gopinath Bardoloi,
2. Rev. J.J.M. Nichols Roy,
3. Shri Omeo Kumar Das,
4. Shri Dharanidhar Basamutari,
5. Shri Rohini Kumar Choudhury,
6. Shri Nibaran Chandra Laskar.

Ki ar ngut kiwei pat, ki dei na ka liang ka Muslim League bad kita ki long :—

1. Syed Mahammad Saadullah,
2. Syed Abdur Rouf.

Kum ban shu pynkynmaw hangne hadien katto·katne bnai, kat kum'ba ka paw na ka Notification No. CA/26-Sr/47 dated New Delhi the 14th November 1947 (Gazette of India : Part I, Section 1 : 8th November 1947 : p 1464) u Shri Omeo Kumar Das u la risain noh, bad la jied noh da u Shri Kaludhar Chaliha ha ka

jaka jong u.

Kitei ki Nongmihkhmat ba la kdew haneng kim mihkhmat ia ka Manipur, Tripura, bad Khasi States. Uba mihkhmat na ka liang jong ka Manipur, Tripura bad Khasi States u dei u Mr. G.S. Guha.

Ha ka por synshar ki Phareng, ia ka RI HYNNIEWTREP la bynta ha ki ar bynta —

1. Khasi & Jaintia Hills District.
2. Khasi States

U Rev. J.J.M. Nichols Roy u dei u M.L.A. na ka Shillong General Constituency, bad u Bah Jarsing Khyriem u dei u M.L.A. na Jowai Constituency. Kine baroh ar tylli ki Constituency kim kynthup ia ki “Khasi State”, hynrei ki kynthup tang ia ka “Khasi & Jaintia Hills District”. Niuma, ka don ka bynta jong ka Sor Shillong kaba don hapoh ka jylli trei kam jong ka “Shillong Municipal Board” bad “Shillong Cantonment Authority” ia kaba la pynsnoh hapoh ka Shillong General Constituency kat kum ba ka paw na ka paragraph 9 - A jong ka Part IX — (ASSAM) jong ka Sixth Schedule jong ka GOVERNMENT OF INDIA ACT, 1935:

“In the case of any territorial constituency comprising any part of Shillong, any reference in this Part of this Schedule to the ‘constituency’ shall be construed as including a reference to so much of the areas under the jurisdiction of the Shillong Municipal Board and the Shillong Cantonment Authority as is not part of British India, and any reference to municipal or cantonment rates or taxes shall be construed as in-

cluding a reference to any rates or taxes assessed by, or paid to, that Board or that Authority in the exercise of any jurisdiction exercised by them in relation to areas outside British India”.

Ia ki M.L.A (Member Legislative Assembly) ba la¹ jied ha ka snem 1946 (shihajar khyndai spah sawpnew hynriew) la jied kat kum ki kyn-don ba la kdew ha ka GOVERNMENT OF INDIA ACT, 1935. Ha kata ka por ym baroh kiba la palat 21 (arphew wei) snem ka rta ki dei ki “VOTER”. Kiba don hok ban long “Voter” ha kata ka por, ki dei tang kito kiba la pass class VI; nangta kito kiba siew Municipal Tax, House Tax, Income Tax etc.

Na ka liang ki “Khasi States” ki la sngew-dei ba baroh ar (“Khasi & Jaintia Hills District” bad “Khasi States”) ban iadon lang hapoh kawei ka jylli synshar kaba don ka kynjang ka kyrdan, ka ryngieng ryngiot, ha ka jingiadei bad ka “DOMINION OF INDIA”. Ki “Khasi States” kim sngewdei ban shu iehnoh kumto ia ka “Khasi & Jaintia Hills District” ban sah ha ka “ASSAM PROVINCE”. La thaw ia ki lad ki lynti ban rah ia ka “Khasi & Jaintia Hills District” na ASSAM bad kumta ki “Khasi States” ki la soi ia ka “Instrument of Accession” da kaba buh pynap ruh ia ki kyndon kumba ka paw ha ka ANNEXED AGREEMENT. Ha ka liang pat jong ki Member ka Constituent Assembly na ASSAM (kiba dei na ka Congress Party) ki da ialeh tyngch ban pynneh ia ka “Khasi & Jaintia Hills District” hapch ASSAM, bad ha kajuha ka por ban pynngat lang ia ki “Khasi States” hapoh ASSAM. Kata te mynta, kam dei shuh ka kam “Party” hynrei ka la dei ka nongkynti jong ka “History”.

Ym lyngngoh lada ka Seng ba la tip kum ka Khasi Jaintia National Conference ka ialeh ban pynurlong ia ka jingkwah jong ka Congress Party (ha kata ka por) ban pyndon ia ki "Khasi States" hapoh ASSAM, namar u President jong katei ka Seng (Khasi Jaintia National Conference) u dei ha kajuh ka por u dkhot jong ka Congress Party (ha kata ka por), bad u dei ruh uwei na ki dkhot jong ka "Council of Ministers" hapoh ka jinglong nongialam, jinglong "Chief Minister" jong u Shri Gopinath Bardoloi.

Bun ki jingjia bad ki saphred saphrong, naduh ka Independence Day : 15 (khadsan) tarik August 1947 (shihajar khyndai spah sawphew hyn-niew) haduh ka Republic Day : 26 (arphew hyn-riew) tarik January 1950 (shihajar khyndai spah san phew) ki la shu sah syllai, sah khyrdong hangne hangtai ha ki sla jong ka "History". Ka Rai jong ka KHASI STATES CONSTITUTION MAKING DURBAR ha Dinam Hall, Shillong ha ka 21 (arphew wei) tarik July 1949 (shihajar khyndai spah sawphew khyndai) ka iathuh ba ki 'Khasi States' kim mon ban don hapoh ASSAM.

Ka Congress Party hapoh ka jinglong "Chief Minister" jong u Shri Gopinath Bardoloi, kam shym lak pynngeit ia u Syiem Olim Singh (Syiem Hima Khyrim), uba long ruh u President jong ka Federation of Khasi States, bad ia kiwei ki dkhot jong ka Federation of Khasi States, ban pyndem la ka mon bad ban mynjur ban pyndon ia ki "Khasi States" hapoh ASSAM.

U Syiem Olim Singh u la long u Syiem jong ka Hima Khyrim hadien u Syiem Dakhor Singh, uba la khlad noh na pyrthei ha ka 30 (lalpheu) tarik November 1919 (shihajar khyndai

spah khad khyndai). Ka Hima Khyrim, ba ka snem kaba dei, kat kum ka jingkhein, ka la ioh ruh ban rakhe pyndonburom ia ka "Golden Jubilee", ka jingdap 50 (sanphew) snem ka jinglong Syiem jong u Syiem Olim Singh hapoh ka Hima Khyrim. U Syiem Olim Singh u la khlad noh na ka pyrthei ha ka 2 (ar) tarik February 1978 (shihajar khyndai spah hynniew phew phra), bad hadien jong u la long Syiem u Balajied Sing, u khun ka Kressimai, ka pyrsa u Syiem Olim Singh.

Shaphang ka jingjadei bad ka "District Council" jong ka "Sixth Schedule" (Ref Article 244 jong ka Constitution of India) ha ki kam jied Syiem, kam pynskhem Syiem, la ka ia syriem bad ka jingjied Tymmen Basan ki Balang (Local Church) bad jingpynskhem ka Presbytery: ne ka iaid kumno ne ka dei ban long kumno, yn ym ia tai hangne. Hynrei kaba sah ha ka jingkynmaw te ka long ba ia u Syiem Balajied Singh la kha ha ka 25 (arphew san) tarik January 1952 (shihajar khyndai spah sanphew ar) Ki Bakhraw jong ka Hima Khyrim ki la jied Syiem ia u ha ka 24 (arphew saw) tarik May 1978 (shihajar khyndai spah hynniew phew phra), bad ula shim ti ia ka long Syiem, ryngkat bad ka kynhoi ka risa u khun u hajar, ha ka 26 (arphew hynriew) tarik August 1978 (shihajar khyndai spah hynniew phew phra).

Ka jingbymmon jong ki "Khasi State" ban don hapoh Assam imat ka iai kynto ia ki khun ki ksiew U Hynniewtrep, bad ki dak ki shin ki paw ha kawei pat ka dur ha ka 27 (arphew hynniew) tarik June 1952 (shihajar khyndai spah sanphew ar) ha kaba ki samla shongskul, hadien ba la khein la diah bha, ki la

sngewdei ban pyalong ia ka "Black Flag Demonstration". Lah ban ong ba na ita i plieh ding iba'rit, la rhem la klang ka ding dawa ban mih noh na Assam (ym dei namar ka Assam Official Language Act: Ia ka Assam Official Language Act dang pass, dang ha ka snem 1960), bad ka-ta ka jingdawa ka la paw paidbah lyngba ka "DUR SYIAR" (Election Symbol) ha ka snem 1957 (shihajar khyndai spah sanphew hynniew).

To ngin ia phai biang sha u Syiem Olim Singh Um don shuh ha pyrthei. Ki Longdien ki don ka hok ban kynmaw iet kynmaw burom, bad ban pynsah nam kyrteng ia u Hato kam biang ban pynsah iaka nam ka kyrteng jong u ha kawei ka JINGKIEG halor ka Wah Umngot, hajan Dawki (National Highway No. 40), bad ba yn tip noh ia ka da ka kyrteng "SYIEM OLIM SING BRIDGE"? Kumba la kdew shahmat. don bun ki saphred saphrong kiba dang sah syllai, sah khyrdong hangne hangtai ha ki sla jong ka "History". Por ba la leit kin ym wan phai, hynrei to ai ba ka POR kan syrpai.

RYNGKAT BAD KA AKOR HA RI HYNNEWTREP

— L. Gilbert Shullai.

Ka NORISTAN (North - Eastern India), ha-ba shu shim kyllum ka hap hapoh ka jingsyn-shar ki Phareng hadien ka snem 1826 (shihajar phra spah arphew hynriew), bad kata ruh kam shym la long ha kajuh ne ha kijuh ki snem. Ka History jong ka jingioh ki Phareng ban syn-shar ia kiba bun ki "BRI" kiba don ha NORISTAN (North - Eastern India) ka long shisha kaba jrong Katei ka snem 1826 (shihajar phra spah arphew hynriew), ka long ka jingsdang, bad

dei ha katei ka snem ba la iasoi ia kata ka Jinglateh Kular hapteng ki Phareng ha kawei ka liang bad ki Burma ha kawei pat ka liang, ia kaba la tip kum ka TREATY OF YANDABOO: 24 (arphew saw) tarik February 1826 (shibajar phra spah arphew hynriew).

Na kiba bun ki "BRI" ha NORISTAN (North-Eastern India), 3 (lai) tylli na kita ki dei—

1. Ka Bri ki Naga,
2. Ka Bri ki Mizo,
3. Ka Bri ki Hynniewtrep.

Kumba ka ktien "RI" (ba la shu pynlyngkot na ka ktien "BRI") ka biang ha ka jingjadei bad ka RI HYNNIEWTREP, ha ka jingjadei pat bad ka BRI ki Naga, imat ka ktien "LAND" ka biang, bad la tip NAGALAND; bad ha ka jingjadei bad ka BRI ki Mizo, "RAM" ka biang, bad la tip MIZORAM.

Ym lah ban ong haduh katno ki "Mikir" lane ki "Garo" ki sngewkmen ba la pynpoi ia ka "Bri" jong ki sha ka kyrdan ba la pruid dak ha ka SIXTH SCHEDULE (Constitution of India). Ym don daw ruh ban sngew phylla lane sngew lyngngoh lada ki sngewdei, sngewhit sngewbiang ban ai burom ia kata ka Sub-Committee [ba la tip kum ka "Bardoloi Sub-Committee" kaba kynthup ia u Shri Gopinath Bardoloi, Rupnath Brahma, A V. Thakkar bad Rev. J.J.M. Nichols Roy], lane ban ai burom ia ka Advisory Committee bad kumjuh ruh ia ka Drafting Committee jong ka Constituent Assembly of India. Hynrei ban shu pynbor ia ki khun ki ksiew

U Hynniewtrep ban iakmen toh-hoh na ka byn-
ta ka "Sixth Schedule" te ka la dei tang ka
kam pynheh iew, kaba pynmih pynban ha ki
Longdien ia ka jingsngew jlep bad jingsngew jew.

Ha ki por synshar ki Phareng, ia ka Bri U
Hynniewtrep (RI HYNNEWTREP) la bynta ha ki
ar bynta—

1. Khasi & Jaintia Hills District,
2. Khasi States.

Na ka liang ki "Khasi States" ki la sngew-
dei ba baroh ar "Khasi & Jaintia Hills District"
bad "Khasi States" ban ia don lang hapoh ka-
wei kajuh ka jylli synshar kaba don la ka kyn-
jang ka kyrdan, ka rynieng ka ryniot, ha ka
jingiadei bad ka "DOMINION OF INDIA".
Ki Khasi States kim sngewdei ban shu iehnoh
kumto ia ka Khasi & Jaintia Hills District"
ban sah ha "ASSAM PROVINCE". La thaw ia
ki lad ki lynti ban rah ia ka "Khasi & Jaintia
Hills District" na ASSAM, bad kumta ki "Kha-
si States" ki la soi ia ka "Instrument of Acces-
sion" da kaba buh pynap ruh ia ki kyndon
kumba la kdew ha ka ANNEXED AGREEMENT.
Na ka liang pat jong ki Member ka Constituent
Assembly na ASSAM, (kiba dei na ka Congress
Party) ki da ialeh tyngoh ban pynneh ia ka
"Khasi & Jaintia Hills District" hapoh ASSAM,
bad ha kajuh ruh ka por ban pynngat lang ia
ki "Khasi States" hapoh ASSAM. Kata te myn-
ta, kam dei shuh ka kam "Party", hynrei ka la
dei ka nongkynti jong ka "History".

Kat kum ka Draft Constitution of India, ka
paw ha ka Sixth Schedule, ba ka "Khasi & Jain-
tia Hills District ka dei" kawei na ki "Autono-

mous District". Bad khamakha. ki "Khasi States" ki la shu shah thynnian, shah phrung lang hapoh katei ka "Autonomous District" kat kum ba paw na ka sub.paragraph (2) jong ka paragraph 20 (arphew) jong ka Sixth Schedule. U Syed Mohammad Saadullah, uwei pat u Member ka Constituent na ASSAM (uba ym dei na ka Congress Party), ha kaba iashim bynta ha ka Third Reading jong ka Constitution of India, u pynpaw ha ka jingkren jong u ba ia ki "Khasi States" la pynhiar kyrdan (relagated) sha ka kyrdan "Sixth Schedule".

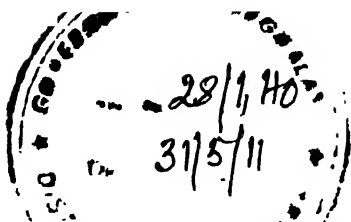
Kaba bud na katei ka jingthynnaian bad jingpynrung ia ki "Khasi States" hapoh "Autonomous District" ka dei ruh sa ka jingthynnian bad jingpynrung ia ki "Khasi States" hapoh ASSAM da kaba shu buh pynap noh da ka jingbatai ha ka FIRST SCHEDULE jong ka Constitution Bad ki kyntien ki long kumne -- "The territory of the State of Assam shall comprise the territories which immediately before the commencement of this Constitution were comprised in the Province of Assam, the Khasi States and the Assam Tribal Areas". Shaphang ka "Province of "Assam" bad kumjuh ruh shaphang ki "Khasi States", lehse la ia sngewthuh, hynrei lah ban mih ka jingkylli, sa kiei pat kita ki "Assam Tribal Areas"? Kitei ki "Assam Tribal Areas" ki dei ki "Tribal Areas" kiba ym shym hap hapoh ka "British India" bad haka jingiadei bad ki, la kdew bad batai ha ka Notification No 387-NEF dated 30th October 1947 :pule lang bad ka Notification No. 388-NEF) ba la pynmih da ka Ministry of External Affairs and Commonwealth Relations, Government of India, bad shon ha ka Gazette of India, Part I, Section 1 : November 8, 1947 : pp. 1464-65.

Sixth Schedule ne ym Sixth Schedule: District Council ne ym District Council, lada naduh ba sdang hi, ka RI HYNNEWTREP ka la lah don ha ka kyrdan kyrpang ha ka FIRST SCHEDULE jong ka Constitution, te ki khun ki ksiew U Hynnewtrep ki la lait na kaba bun kam ha kaba ialeh ban mih noh na ASSAM. Ka 'State Legislature' jong ka RI HYNNEWTREP kan jin da la lah ban tehsong ia ka RI HYNNEWTREP, rynskat bad ki "Traditional Institutions", naduh ki Shnong, ki Raid, ki Elaka, ki Hima rynskat bad ki "AIN" kiba kan thaw kat kum ka bor ba la pynkup da ka Entry kaba 5 (san): State List (List II) jong ka SEVENTH SCHEDULE (Constitution of India). Ki kyntien kiba don ha katei ka Entry kaba 5 (san) ki long kumne:--

"Local Government, that is to say, the constitution and powers of municipal corporation, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self government or village administration .

Don ka jingong ba ka Por ka pynjot, hynrei don ruh ka jingong ba ka Por ka syrpa. Ai ba ka RI HYNNEWTREP kan long ka Ri jong ka BUROM Lada dei "skur" (Khristan ne ym Khristan) ia don hi la Burom, la dei ka shnong kaba la don lypa lane ba la' pynkup. ne ba ioh namar ba bat ia ki kam kiba don burom. Ka Akor pat te ka long kum ka khuri ksar kaba kdup kaba bat ia ka Burom Wei haba ka Akor ka or ne ka pei, te ka Burom ka la jrein jynde.

Da kaba Burom eh ia u Pahep Radhon Singh Berry Kharwanlang, ia ki kyntien "To



sngewrit kynthop" la buh da ki kyntien "Sngew-
thuh ~~la ka~~ dor" (da kaba burom ruh ia kiba ai
jingmut). Ha ka liang ka Akor, u Pahep Radhon
Singh Berry Kharwanlang u pynkynmaw, ban
nang ban ri la ka Akor ha ki bynta baroh—

Ma phi baroh ruh ko kbun ko pyrsa,
To ioh ho ka akor ba bha shisha;
Ba phi tang sah la ka nam ka burom,
Ba phin tang roi tang pa man la ka aiom.

Lada phi iaaid phi ieng sharum shaneng,
"SNGEWTHUH LA KA DOR" wat ju
mlien sngewmeng;
To mlien ban nang na la ~~ka~~ iing nyngkong,
Da kumno ban ieng da kumno ban shong.

Da kumno ban iaaid da kumno ban jam,
Da kumno ban dih da kumno ban bam;
Da kumno ban kren da kumno ban peit,
Da kumno ban wan da kumno ban leit.

Da kumno ban trei da kumno ban ktah,
Da kumno ban kit da kumno ban bah;
Da kumno ban kup da kumno ban sem,
Da kumno ban da la ka rain ka rem.

Da kumno ban phong da kumno ban spong,
Da kumno ban sad lane ban khyllong;
Da kumno ban kner da kumno ban shim,
Da kumno ban mer da kumno ban im.

Da mut, da khan, wat sarong, wat kyr-eit,
La! ha shnong lane ha ka wan ka leit;
Kane kam long ka kam thamula ne kai,
Hynrei ka long ka tynrai na U Trai.

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